

PUBLIC NOTICE OF HEARING
AND OF INTENTION TO ENACT PROPOSED ORDINANCE

TAKE NOTICE that the Board of Supervisors of Stroud Township will hold a public hearing on **Tuesday, July 19, 2022 beginning at 6:30 P.M.**, at the Stroud Township Municipal Center, 1211 N. 5th Street, Stroudsburg, PA 18360. The purpose of the hearing is to consider a proposed ordinance to amend Chapter 27 (Zoning) of the Stroud Township Code of Ordinances. The proposed ordinance would add certain land use activities to Schedule 27-I to include dance studios, schools and halls and used merchandise stores.

At the time of the public hearing, the Supervisors will listen to comments by members of the public concerning the proposed ordinance. If substantial amendments are not offered to the draft of the proposed ordinance, the Supervisors intend to consider enactment of the proposed ordinance immediately after the public hearing.

The proposed ordinance is entitled: AN ORDINANCE OF THE TOWNSHIP OF STROUD, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE STROUD TOWNSHIP CODE OF ORDINANCES (ZONING) TO ADD ON SCHEDULE 27-I THE LAND USE ACTIVITIES "DANCE STUDIOS, SCHOOLS AND HALLS (SIC-7911)" AS A PERMITTED USE IN THE C-1 ZONING DISTRICT AND "USED MERCHANDISE STORES (SIC-5932) AS A PERMITTED USE IN THE C-3 ZONING DISTRICT, BOTH SUBJECT TO CERTAIN EXCLUSIONS; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; REPEALING OR RESCINDING ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE INCONSISTENT HEREWITH; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

The following is a brief summary of all of the provisions of the proposed ordinance, which, if adopted will become part of Chapter 27 Schedule 27-I (Zoning) of the Township's Code of Ordinances: **Article 1** amends Schedule 27-I to add used merchandise stores under the retail trade category. **Article 2** adds a new paragraph that provides standards for the used merchandise stores; **Article 3** amends Schedule 27-I to add dance studios, schools and halls as a land use activity. **Article 4** adds a new paragraph that provides dance studios, schools and halls as a permitted use. **Articles 5 and 6** respectively, contain severability and repealer provisions; and **Article 7** provides that the proposed ordinance will take effect 5 days after its enactment.

A copy of the proposed ordinance will be posted on the Township's website and also has been supplied to the *Pocono Record* and to the Monroe County Law Library. Anyone may inspect the proposed ordinance (without charge) or obtain a copy of it (for a charge not exceeding actual copying costs) at the Township's office at the address listed above during regular business hours. If you require any special accommodations to attend or participate in the public hearing, please call (570) 421-3362 at least one day in advance.

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By: Todd W. Weitzmann, Esquire
700 Monroe Street
Stroudsburg, PA 18360
Solicitor, Stroud Township Board of Supervisors

**TOWNSHIP OF STROUD
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3 - 2022

AN ORDINANCE OF THE TOWNSHIP OF STROUD, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE STROUD TOWNSHIP CODE OF ORDINANCES (ZONING) TO ADD ON SCHEDULE 27-I THE LAND USE ACTIVITIES “DANCE STUDIOS, SCHOOLS AND HALLS (SIC-7911)” AS A PERMITTED USE IN THE C-1 ZONING DISTRICT AND “USED MERCHANDISE STORES (SIC-5932) AS A PERMITTED USE IN THE C-3 ZONING DISTRICT, BOTH SUBJECT TO CERTAIN EXCLUSIONS; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; REPEALING OR RESCINDING ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE INCONSISTENT HERewith; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, it is the desire of the Stroud Township Board of Supervisors to amend Chapter 27 of the Stroud Township Code of Ordinances governing Zoning to add certain specific land use activities as Permitted Uses in the C-1 and C-3 Zoning Districts, respectively.

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General Powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, pursuant to Section 1516 of the Second Class Township Code, found at 53 P.S. §66516, entitled “Land Use Regulations,” the Board of Supervisors may plan for the development of the Township through zoning and subdivision and land development regulations under the “Pennsylvania Municipalities Planning Code” (“MPC”); and

WHEREAS, pursuant to MPC Sections 601 entitled “General Powers” and 609 entitled “Enactment of Zoning Ordinance Amendments,” found at 53 P.S. §10601 and 53 P.S. §10609, respectively, the Board of Supervisors is authorized to enact amendments to the Stroud Township Zoning Ordinance in accordance with the conditions and procedures set forth in the MPC.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

ARTICLE I: Schedule 27-I (Regulations Governing the Use of Land) of the Code of Ordinances is hereby amended by the addition of the land use activity “Used Merchandise

Stores (SIC 5932)” as a category of Retail Trade and a subcategory of “Miscellaneous Retail (SIC 59), as follows:

Land Use Activity	O-1	S-1	R-1	R-2	R-3	C-1	C-2	C-3	C-4	M-1	EP-1	EP-2
Used Merchandise Stores (SIC 5932)							P/C	P	P ⁸			

⁸ Provided individual uses shall not exceed 1,500 square feet in size.

ARTICLE II: Chapter 27, Part 5, Section 503, Subsection 6 (SIC Land Use Activity G, Retail Trade) of the Code of Ordinances is hereby amended to add new Paragraph G as follows:

G. Used Merchandise Stores (SIC-5932). This use is permitted as set forth in Schedule 27-I. The following standards, requirements and criteria shall apply:

- (1) Specifically excluded from this use are used building materials stores and pawnshops.
- (2) All outside storage, display, and sales are prohibited in this category.

ARTICLE III: Schedule 27-I (Regulations Governing the Use of Land) of the Code of Ordinances is hereby amended by the addition of the land use activity “Dance Studios, Schools and Halls (SIC 7911)” as a category of Services and a subcategory of “Amusement and Recreation Services (SIC 79), as follows:

Land Use Activity	O-1	S-1	R-1	R-2	R-3	C-1	C-2	C-3	C-4	M-1	EP-1	EP-2
Dance Studios, Schools, and Halls (SIC 7911)		P				P ¹⁴	P	P	P	P		

¹⁴ Specifically excluded from this use are discotheques of all types, including those that do and do not sell alcoholic drinks.

ARTICLE IV: Chapter 27, Part 5, Section 503, Subsection 86 (SIC Land Use Activity I, Services) of the Code of Ordinances is hereby amended to add new Paragraph Z as follows:

Z. Dance Studios, Schools, and Halls (SIC-7911). This use is permitted as set forth in Schedule 27-I.

ARTICLE V: The provisions of this Ordinance are severable. If any sentence, clause, section or part of this Ordinance is for any reason ultimately found to be unconstitutional, illegal or invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections or

parts of this Ordinance. It is hereby declared as the legislative intent of the Board of Supervisors that such remainder shall be, and shall remain, in full force and effect.

ARTICLE VI: All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed, but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

ARTICLE VII: This Ordinance will take effect 5 days after enactment.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania this ____ day of _____, 2022.

TOWNSHIP OF STROUD

CHRISTINE A. WILKINS, Chairwoman
And Secretary

(TOWNSHIP SEAL)

JENNIFER SHUKAITIS, Vice Chairwoman
and Assistant Secretary

EDWARD C. CRAMER, Supervisor
and Assistant Treasurer